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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/612,479	07/07/2000	Bruce H. Arnold	0001	8599

7590 01/05/2004  
Michael J Bolan  
14 Trinity  
Irvine, CA 92612

EXAMINER

BARNIE, REXFORD N

ART UNIT	PAPER NUMBER
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2643

DATE MAILED: 01/05/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

*Am*

# Office Action Summary

Application No.  
09/612,479

Applicant(s)

ARNOLD ET AL.

Examiner  
REXFORD BARNIE

Art Unit  
2643



-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on Jul 7, 2000.
- 2a) ☒ This action is FINAL. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-48 is/are pending in the application.
- 4a) Of the above, claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-48 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claims \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.  
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some\* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\*See the attached detailed Office action for a list of the certified copies not received.

- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).  
a) ☐ The translation of the foreign language provisional application has been received.

- 15) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152) \_\_\_\_\_
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s). 5 6) ☐ Other: \_\_\_\_\_

REXFORD BARNIE  
PRIMARY EXAMINER

12/29/03

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**DETAILED ACTION**

***Claim Rejections - 35 U.S.C. § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

***Claim Rejections - 35 U.S.C. § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1 and 31 are rejected under 35 U.S.C. 103(a) as being unpatentable over DiMarco (US Pat# 6,643,369) in view of Yim (US Pat# 6,192,124).

Regarding claim 1, DiMarco teaches a telephone device wherein a prefix can be stored and activated by pressing buttons in (see fig. 1 @ 106n) which can be added to a dialed number without requiring a user dial the prefix in (see disclosure including fig. 3). DiMarco fails to teach in detail the claimed invention. Yim teaches a method for a method for accessing a country code or an area code stored in a telephone to dial a telephone number wherein a prefix can be recalled by a user and added to a telephone number to be dialed in order to be able to complete a given call in (see col. 4).

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Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teaching of Yim into that of DiMarcos thus making it possible to retrieve any desired prefix for a call without having to dial an entire destination number which saves a user (caller) time.

Regarding claim 31, see the explanation as set forth regarding claim 1 because it would be performed by the claimed components.

4. Claims 2-17 and 32-44 are rejected under 35 U.S.C. 103(a) as being unpatentable over DiMarco (US Pat# 6,643,369) in view of Yim (US Pat# 6,192,124) and further in view of {Tomiyori (US Pat# 5,305,372) or Waldman (US Pat# 5,157,719)}.

Regarding claims 2-17 and 32-44, The combination fails to teach the claimed subject matter in detail. Tomiyori teaches a mobile unit with a speed dialing means wherein one can either use a speed dialing mode or a full dialing mode in (see disclosure). In the speed dialing mode, one can activate a function key which would cause a number including an area code and country code to be retrieved in connection with a destination number as stored and in a full-dialing mode, dialing the number as dialed.

Waldman teaches an automatic area code dialing apparatus wherein an area code can automatically be added in addition to a dialed number and the dialing of a prefix digit can be used in determining what the status of a call is namely; a local or long distance call in (see col. 4 lines 45-55, cols. 7-9, col. 16 and so forth).

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Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teaching of (Waldman or Tomiyori) into that of the combination thus making it possible to provide prefixes including local or long distance as means of activating a function key without having to dial an entire number thus saving time. Furthermore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to use a first prefix dialed (9, 1 and so forth) in determining the toll status of a call dialed for billing purposes and so forth.

5. Claims 18 and 45 are rejected under 35 U.S.C. 103(a) as being unpatentable over DiMarco (US Pat# 6,643,369) in view of Yim (US Pat# 6,192,124) and further in view of Rosen et al. (US Pat# 6,567,675).

Regarding claim 18, DiMarco teaches a telephone device wherein a prefix can be stored and activated by pressing buttons in (see fig. 1 @ 106n) which can be added to a dialed number without requiring a user dial the prefix in (see disclosure including fig. 3). Dimarco fails to teach in detail the claimed invention. Yim teaches a method for a method for accessing a country code or an area code stored in a telephone to dial a telephone number wherein a prefix can be recalled by a user and added to a telephone number to be dialed in order to be able to complete a given call in (see col. 4).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teaching of Yim into that of DIMarcos thus making it

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possible to retrieve any desired prefix for a call without having to dial an entire destination number which saves a user (caller) time.

The combination fails to teach being able to differentiate between local and long distance calls based on dialed digits.

It's notoriously well known to use digits such as 011, 1 and so forth in determining a local or long distance call.

Rosen teaches a programmable automatic prefix dialer for wireless wherein local phone number can be determined from long distance numbers (see abstract and disclosure).

Furthermore, a prefix can be added to a called number wherein a long distance number can be dialed in full.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teaching of Rosen into that of the combination thus making it possible to analyze dialed number and provide prefixes when needed which saves the user (caller) the time of having to dial them.

Regarding claim 45, see the explanation as set forth regarding claim 14 because it would be performed by the claimed components.

6. Claims 19-30 and 46-48 are rejected under 35 U.S.C. 103(a) as being unpatentable over DiMarco (US Pat# 6,643,369) in view of Yim (US Pat# 6,192,124) and further in view of Rosen et al. (US Pat# 6,567,675) and further in view of {Tomiyori (US Pat# 5,305,372) or Waldman (US Pat# 5,157,719)}..

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Regarding claims 19-30 and 46-48, The combination fails to teach the claimed subject matter in detail. Tomiyori teaches a mobile unit with a speed dialing means wherein one can either use a speed dialing mode or a full dialing mode in (see disclosure). In the speed dialing mode, one can activate a function key which would cause a number including an area code and country code to be retrieved in connection with a destination number as stored and in a full-dialing mode, dialing the number as dialed.

Waldman teaches an automatic area code dialing apparatus wherein an area code can automatically be added in addition to a dialed number and the dialing of a prefix digit can be used in determining what the status of a call is namely; a local or long distance call in (see col. 4 lines 45-55, cols. 7-9, col. 16 and so forth).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teaching of (Waldman or Tomiyori) into that of the combination thus making it possible to provide prefixes including local or long distance as means of activating a function key without having to dial an entire number thus saving time. Furthermore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to use a first prefix dialed (9, 1 and so forth) in determining the toll status of a call dialed for billing purposes and so forth.

#### ***Response to Arguments***

7. Applicant's arguments with respect to claims 1-48 have been considered but are moot in view of the new ground(s) of rejection.

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*Conclusion*

8. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communication from the examiner should be directed to REXFORD BARNIE whose telephone number is (703) 306-2744. The examiner can normally be reached on Monday through Friday from 8:30 to 6:00p.m. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Curtis Kuntz, can be reached on (703) 305-4708.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks  
Washington, D.C. 20231

or faxed to (703) 872-9314 and labeled accordingly (Please label

**"PROPOSED/INFORMAL" or "FORMAL"**).

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA., Sixth Floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the group receptionist whose telephone number is (703) 306-0377.

Rexford Barnie  
Patent Examiner  
12/29/03

*R. Barnie*  
**REXFORD BARNIE**  
**PRIMARY EXAMINER**